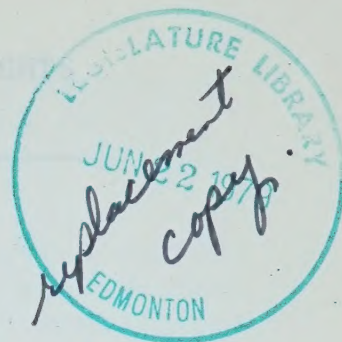


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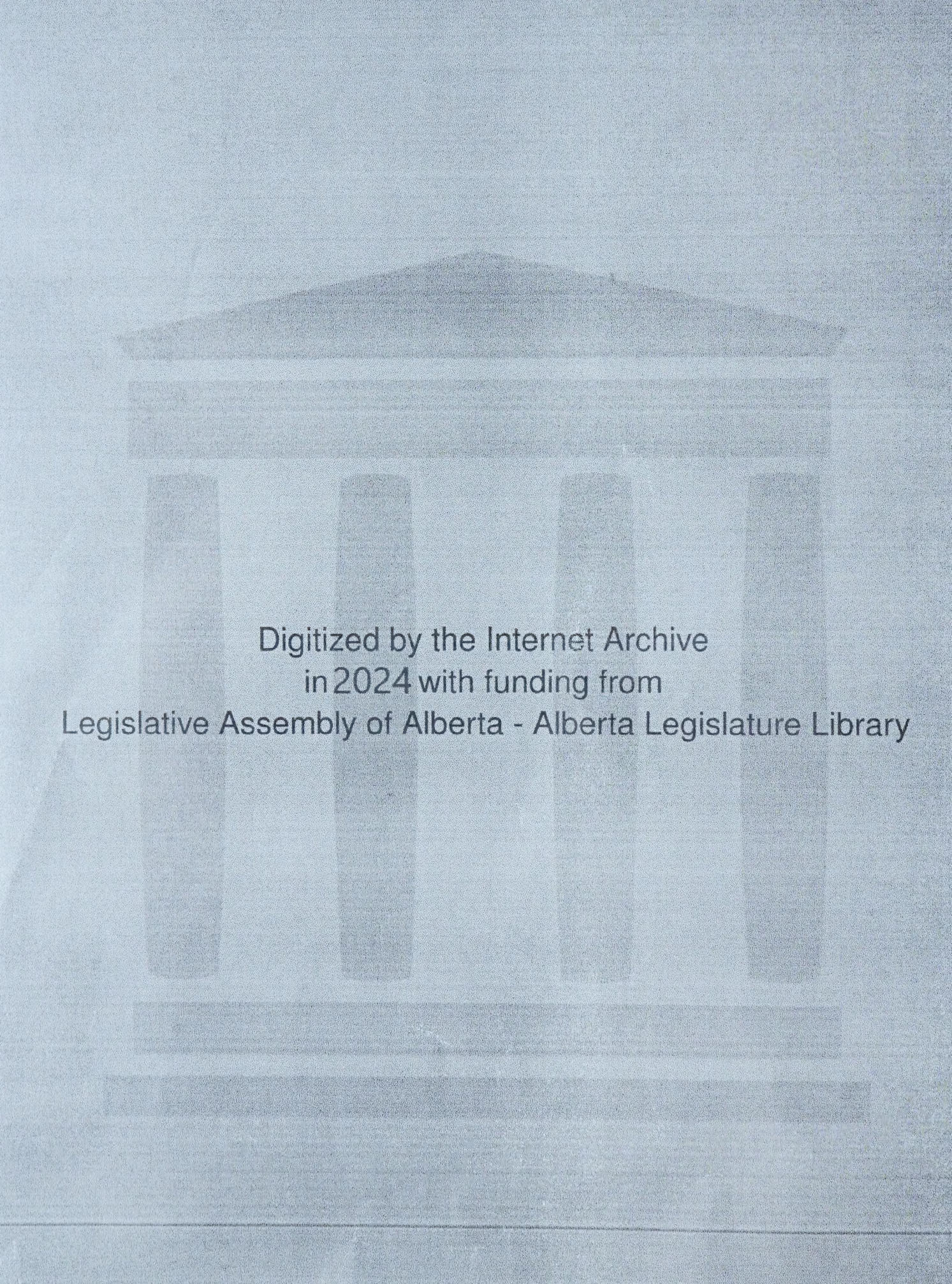
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THE HUMAN RIGHTS BRANCH

ANNUAL REPORT

FOR THE CALENDAR YEAR 1971



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SUMMARY OF THE OPERATIONS OF THE HUMAN RIGHTS

BRANCH FOR THE CALENDAR YEAR 1971.

Promoting Human Rights

Management by objectives became the watchword for Human Rights Branch operations in 1971; and one major objective defined by our staff was simply to make the existence of the Human Rights Branch better known throughout Alberta. At year's end, we were satisfied that we had been reasonably successful in accomplishing this goal.

Early 1971 saw the completion of the campaign which acquainted some 3,700 Alberta apartment managers with their rights and responsibilities under the Act.

This project was followed in the spring by a blanketing of tourist related establishments - hotels, motels, guest ranches and restaurants - throughout the Province with materials intended to convey to both operators and patrons the sound social philosophy on which our human rights program is predicated. Approximately 3,200 service establishments were reached in this blitz.

In marked contrast with the previous year's effort which yielded relatively little response, this year's general publicity campaign drew close to 7,000 requests for additional information about human rights in Alberta. Credit for this success has to be paid to Admanagement Ltd. of Calgary whose novel approach to newspaper advertising brought our agency more noticeably before the public than any similar venture in the past.

The Canadian Council of Christians and Jews volunteered to distribute 2,000 copies each of our brochures on the Act and the Individual and the Act and the Apartment Dweller through the regular spring mailing of their newsletter.

A subsequent public information campaign to acquaint Alberta citizens with the new provisions of The Human Rights Act respecting sex and age discrimination was conducted in the fall and generated still further response, as did the Publicity Bureau's December highlighting of the Human Rights Branch in their annual government services campaign.

In total, the Branch received nearly 7,600 mailed requests for further information, underscoring our impression that daily more and more Albertans are becoming aware of our existence and the services we are able to provide.

In addition to mailed inquiries, close to 400 people telephoned for information about The Human Rights Act and the Human

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Rights Branch, while 250 other persons in need of help with some problem turned first to the Alberta Human Rights Branch and were referred by telephone to the agency which could more appropriately render assistance.

The Human Concern mailing list more than doubled to nearly 2,800 regular subscribers. Roughly 800 copies of each edition are distributed in addition to the mailing list. This magazine continues to be used as a classroom teaching aid in secondary schools and universities throughout the Province, and to be the subject of positive commentary from readers. The combined Spring-Summer edition which featured articles on affirmative action programming for business and industry plus an employer's check list for fair employment was directed in a special mailing to 34,000 Alberta employers. The check list received additional distribution to groups directly involved with the personnel function.

Besides word about Branch activities being reported through our own newsletter, an article describing the Alberta Human Rights Branch operations appeared this past year in an Ontario government publication, Human Relations, which has widespread circulation throughout Canada and overseas.

Literature Distributed - 1971

<u>Title</u>	<u>Number of Copies (Figures Approx.)</u>
The Alberta Human Rights Act	8,843
The Alberta Human Rights Act and the Employer	10,139
The Alberta Human Rights Act and Managers of Hotels, Motels, Restaurants, Theatres and Places of Entertainment	10,002
The Alberta Human Rights Act and the Individual (English)	13,091
The Alberta Human Rights Act and the Individual (Cree)	58
The Alberta Human Rights Act and the Individual (Chinese)	55
The Alberta Human Rights Act and the Apartment Dweller	12,245
Human Concern (Quarterly Newsletter)	42,825

Human Rights Placard	3,549
Human Rights Display Scroll (Framed)	12
Human Rights Display Scroll (Unframed)	8,077
Check List for Fair Employment	91
A.T.A. Magazine Reprint of Human Rights Officer's Article	15
Let's Take a Look at Prejudice (Part I)	63
Let's Take a Look at Prejudice (Part II)	63
The Roots and Causes of Prejudice	63
Prejudice - A Spiritual Pestilence	63
Race, Ignorance and Discrimination	63
Discrimination, What It Does to Man	63
Royal Bank Newsletter (January 1968)	63
UNESCO - Bulletin	63
Fair Employment Laws in Canada	63
Is Your Productivity Being Undermined?	63
Human Rights in Canada	63
Human Rights Review	63
Let's Take a Look at Prejudice and Discrimination	63
Canadian Bill of Rights (Photocopy)	2
Universal Declaration of Human Rights	1

Education

Staff members continued to engage in a variety of educational undertakings to the extent that time and resources permitted. During 1971, the Human Rights Branch participated in educational events with the following organizations and agencies:

Alberta Government Department of Social Development
Alberta Indian Association
Alberta Vocational Centre

Brocket Homemakers Workshop
 Calgary Jewish Community Council
 Calgary Personnel Association
 Canada Manpower Centre (Edmonton)
 Canadian Council of Christians and Jews
 C.F.C.N.-TV
 Christopher Project
 Drumheller Institute Native Brotherhood
 Extension Department, University of Alberta
 Harry Ainley Composite High School
 Hobbema Band Councils
 Hudson's Bay Company (Edmonton)
 Jennings Drilling Co.
 Kate Andrews High School
 Lethbridge Community College
 Londonderry School
 Medicine Hat Inter-Agency Council
 Napi Friendship Association
 Oilwell Drilling Personnel Group
 Paul Kane High School
 Queen Elizabeth Composite High School
 Robertson United Church
 St. Albert High School
 St. Laurent High School
 Scona Recreation Centre
 Sociology Department, University of Alberta
 Trinity United Church Teens
 United Nations Association (Edmonton)
 United Nations Edmonton and District Association of Students

A further breakdown of educational programming is as follows:

Radio and Television Participation
Of Human Rights Branch Personnel

Number of Programs	1
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Speaking Engagements

<u>Number of Engagements</u>	<u>Total Audience</u>
22	1,003

Human Rights Programs

<u>Number Of Programs</u>	<u>Number Of Participants</u>
12	360

Extended Workshops

Number Of
Workshops/Sessions

12/56

Number Of
Participants

432

As well as working with the organizations mentioned above, Branch members continued to take part in consultations with individuals and delegations representing various interest groups and agencies in order to discuss topics of mutual interest.

Prior to the implementation of 1971's legislative amendments, a study project was undertaken in which reports on the experience of other North American jurisdictions having sex and/or age discrimination statutes were solicited.

A heavier than anticipated complaint load combined with an increased inflow of materials has left the Human Rights Branch library still in a state of reorganization, but it is hoped that this service will be available by autumn of 1972. Mr. Ernie Redmond, formerly with the Provincial Library, has designed a suitable classification system for cataloging the numerous reports, studies and other materials we receive from across the North American continent, and the availability of these documents should prove a boon to persons involved in research and study in the human relations arena.

Complaint Handling

Percentagewise, the increase in our complaint load was dramatic, expanding some 190%. A new system of categorizing concerns received by the Branch was implemented this year, with those cases registered under the express provisions of the Act being designated as "formal"; while in line with the practice of several of the longer established human rights agencies, those problems brought to the Branch's attention which were of a human rights nature but which lay outside the boundaries of the code's application, thereby limiting our function to a largely educational one (for example - non-public accommodation complaints in which it was discovered upon investigation that the premises contained less than three self-contained dwelling units), were signified as "informal".

The 7 complaints carried over from the year previous were all settled during 1971. Of the 291 concerns registered with the Branch 160 were defined as informal and 131 came under the formal heading. Applying this system of categorization to the concerns recorded since the inception of the Branch, we can trace the rising awareness of and acceptance of the Branch as a helping agency on the part of those who feel themselves the victims of discriminatory treatment.

<u>Year</u>	<u>Formal</u>	<u>Informal</u>	<u>Total</u>
1966	2	1	3
1967	13	17	30
1968	17	25	42
1969	32	47	79
1970	52	49	101
1971	131	160	291

Of the 131 formal complaints received during 1971, 92 were settled by year's end. One was terminated for lack of interest on the part of the complainant. One was withdrawn and 30 were pending. Of the latter category, 5 of these complaints had been recommended for public hearings; 17 were in the closing stages of settlement, awaiting only the completion of an action by the respondent or the forwarding of a final letter. This left 8 that were still under active investigation.

Further breakdown of last year's complaints, both formal and informal, is as follows:

Complaints Related to Racial, Ethnic
Religious, Sex or Age Group

Canadian Native (Indian and Metis)	80
Negro	31
East Indian	11
European	17
Anglo Saxon	3
South African	2
Asiatic	7
West Indian	2
Jewish	2
Religion	1
Sex	26
Age	17
Unspecified	92
TOTAL	<u>291</u>

Complaints Received in Area Of:

Employment	119
Trade Unionism	5
Public Accommodation	13
Public Services	77
Apartment Accommodation	37
Other Non-Public Accommodation	10
Miscellaneous	30
TOTAL	<u>291</u>

Experience informs us that as our society becomes more organized and complex, it will happen with increasing frequency that a person with a problem will not know where to turn for help. And to find himself constantly confronting the apparently stern and uncaring face of bureaucracy, admonishing him that his dilemma is none of their concern, can only frustrate and embitter an individual to the further detriment of that society of which he is a part. And so we contend that if any agency should be identified in the public mind as a "helping agency", it should be the Human Rights Branch. Thus, we endeavor not to turn any client away without doing whatever we can, even if that only amounts to a sympathetic hearing and a call or referral to whatever agency might be in a better position to alleviate the person's distress.

The following cases illustrate some of the matters the Branch might be called upon to deal with under the heading of "Informal Complaints".

An older Native lady brought to the Branch's attention the deplorable conditions of her place of residence caused by neglect on the part of the landlord. When it readily became apparent that this was not a matter to be resolved under the terms of The Human Rights Act, the case was referred to the Department of Health for action.

In a rural area, a farmer had conspicuously posted along the highway fronting his land a sign admonishing Indians to keep off his property. When a Native person complained that this was offensive and humiliating to persons of Indian background, a representative of the Branch met with the owner of the land to discuss the situation. Subsequently, the owner removed the offensive sign.

A white woman who had an adopted Negro son, complained to the Branch about the refusal of a dentist to treat him. On his way to the woman's home to obtain a formal statement, the Human Rights Officer stopped at the dentist's office; and, armed with the information he had received over the telephone, discussed the matter with the respondent practitioner. Receiving a plausible explanation of the incident, the Officer passed this along to the mother, who, in light of this information, realized that she had erred in reading discrimination into the dentist's action and indicated her satisfaction at the outcome. Since no complaint form was ever signed, the matter was regarded as an informal case.

In the case of one older lady of Slavic origin who spent an afternoon discussing situations in which she felt she had encountered undue harassment, it became apparent that the best reference which might be made was to the individual's parish priest. When this suggestion was put to her, the lady willingly agreed.

A letter from a Native person described discriminatory treatment at the hands of a local service station operator. During

the Branch's inquiry into the matter, it was discovered that the writer himself was not actually involved in the incident in question, although his mother was and he asserted that he had actually been writing on her behalf. At any rate, the matter was resolved with letters of apology going to the persons who had been adversely affected while the operator agreed to adhere to a fair service policy. But here again, because the complaint was not signed by a principal in the case, the matter was recorded on the informal side of the ledger.

Typical of the formal cases handled by the Branch would be the following:

A group of Native persons who were invited to appear at the annual meeting of a professional association were turned away at the hotel door; and only when the participants threatened to walk out en masse did the hotel management alter its stand. Despite the fact that their guests were finally permitted entry, the professional association was quite understandably perturbed over the incident, as were the Native participants; and they advised the Branch of their concern. The end result after a period of negotiation was an assurance of fair accommodation and service policy received from the hotel in question while letters of apology were forwarded to the Native persons involved. A letter was subsequently received by the Branch from the professional association expressing that body's satisfaction that the matter had been pursued through to such a resolution.

A Negro woman was told by an employer that they couldn't hire her because she was black. Her complaint led to a formal apology being issued by the employer along with an offer of the next available position.

Several Native persons were refused rooms at a hotel in a small Alberta city. When challenged over his refusal, the desk clerk merely pointed to a sign behind the desk which read "No rooms for Indians". The Native persons thus affected brought the matter to the attention of the local R.C.M.P. detachment who in turn put them in touch with the Human Rights Branch (the co-operation received from the R.C.M.P. detachment, incidentally, throughout the course of this investigation was exemplary). Efforts to resolve the matter through conciliation were initially unsuccessful. On the eve of the scheduled public hearing, the hotel owner finally agreed to the proposed terms of compliance, which included an undertaking of a fair accommodation policy, acceptable letters of apology plus assurance of future service to the complainants, posting of the human rights placard, instructing of the staff with respect to this policy, and future co-operation with the Human Rights Branch in ensuring that the terms of this settlement were being observed.

A white caretaker was fired from her post and evicted from her suite for allegedly contravening the apartment owner's policy of non-rental to Native persons. Investigation disclosed probable cause to warrant the allegation. As the complainant was

no longer interested in working for that employer nor in continuing to reside in that apartment, the resolution of the complaint involved a letter of apology along with a rescinding of the actions of firing and eviction so that no blot would appear on the complainant's employment or tenancy record. Follow-up investigation indicated that the owner was adhering to a fair rental policy.

A West Indian and his wife, refused rental of a suite, received a letter of apology from the apartment owner and were guaranteed the right of first refusal of subsequent vacancies for a one year period. They also received from the apartment owner a payment of \$20.00 to cover out of pocket expenses incurred as a result of his refusal.

The caller on the telephone expressed her anxiety that 15 Metis families were being evicted from their apartments in one big-city apartment block. Investigation disclosed that actually only 4 families were thus affected. It was determined that grounds existed to support one of the eviction actions; however, the other three were apparently the result of over-reaction on the part of the caretaker. When presented with this information, the owner of the block quickly agreed to take whatever steps were necessary to rectify the situation, including immediate rescinding of the notices to the three families whose tenancy was wrongfully terminated.

While shopping in a large department store, a Native girl was told by several clerks that she was restricted to shopping in the basement store only. A discussion of the matter between Branch staff and the store's credit manager led to policy clarification with staff members who were apparently not aware of procedures to be followed with respect the Indian Affairs Branch vouchers; and next day the girl resumed her shopping.

And so as we look back over the complaint summaries of the year past, we can see that persons of various ethnic backgrounds found employment which had previously been denied them, while others hopefully had provided for them more satisfactory explanations as to why they were unsuccessful in their aspirations. The doors of some hotels and motels which had previously been closed to persons from certain groups were opened; and at least one beverage room altered its former policy of serving Indian customers only in the less decorative portion of the premises.

Complaints received under the heading of sex discrimination dealt not so much with hiring, dismissal and promotions as had been anticipated, but fell to a greater extent within the fringe benefits area. Thus we have seen more than one firm in the past year adjust the retirement age of its female employees or take steps to ensure that company insurance scheme benefits were equitable for both male and female workers.

For the first time in Branch history, it became necessary to establish a board of inquiry when the complaints of Bernice Heathen, Mary Fox, Alex Harper and Eric Dillon of Onion Lake, Saskatchewan, against the Alberta Hotel, Lloydminster, Alberta, could not be settled through conciliation. The hearing was cancelled when Steve Babyn, hotel manager, agreed to terms of settlement. Mr. W. F. Bowker, Director of the Institute of Law Research and Reform, University of Alberta, was appointed to chair the inquiry.

One rather unusual turn of events in the past year saw the Human Rights Branch subject to an investigation by the Provincial Ombudsman. This came about when the Human Rights Branch accepted for investigation a complaint from a white person who had been dismissed from a Native educational institution. A provincial Indian organization protested to the Ombudsman's office that the Branch was conducting the investigation improperly and at any rate lacked jurisdiction to embark upon such an inquiry. Although the Ombudsman's decision favored the Human Rights Branch, other statutory considerations which came to light during the interval prevented the Branch's original investigation from going forward.

Staff

During 1971 the staff of the Human Rights Branch was comprised of:

Administrator	K. C. Henders
Human Rights Officers	E. Harrison
	P. J. Cresswell (as of November 1st)
Clerk Stenographer	Mrs. B. A. Stanford

Mr. Peter Cresswell joined the Human Rights Branch staff on November 1st in the capacity of Human Rights Officer. Mr. Cresswell, former Executive Director of the Napi Friendship Association of Pincher Creek, Alberta, brought to his new position years of successful intergroup programming involving the white and Native communities in Southern Alberta. In recognition of his efforts, he was given the name Kai-i-poka or Bear Child by the Peigan people.

During the last year the Human Rights Administrator was involved in the Middle Management Course offered by the Provincial Government's Organizational Development Division, while both Human Rights Officers participated in the Supervisory Development Course. Barbara Stanford, Branch secretary, enrolled this past fall in a human relations-communications evening course offered by the Department of Extension, University of Alberta.

The Human Rights Administrator attended the Canadian Human Rights Administrators' Workshop in Toronto in March and the Inter-

national Association of Official Human Rights Agencies Conference in St. Paul, Minnesota, this past July. He also represented the Branch at a joint meeting of federal-provincial agencies held at Camp Ho He Ha in November to discuss problems relating to inter-agency co-operation. Active roles were taken by Human Rights Officers at the Drumheller Institute Native Brotherhood Conference in March and the Canadian Council of Christians and Jews sponsored Multi-Cultural Conference held in Calgary in November.

Legislation

Chapter 48 of the 1971 Statutes of Alberta - An Act To Amend The Human Rights Act - was assented to April 27th, 1971 to come into force on July 1st, 1971.

In this Act, sex and age as grounds for anti-discrimination concern were incorporated in the preamble of The Human Rights Act and that section of the Act outlining the Administrator's responsibility to forward human rights principles, and develop and conduct human rights educational programs.

Sex, marital status and age were added to the grounds on which discrimination is already prohibited in those sections of the code dealing with employment and trade union membership; care being taken to ensure that the age specification did not interfere with the normal operation of bona fide pension plans or employee insurance schemes.

Sex was added as a category in which discrimination is to be prohibited in those sections of the Act dealing with public accommodation and services, and apartment accommodation.

For purposes of the Act, "age" was defined as being 40 to 65 years.

